

WHITE FLEISCHNER & FINO, LLP

61 BROADWAY, NEW YORK, NY 10006
T 212.487.9700 F 212.487.9777 WWW.WFF-LAW.COM

April 23, 2008

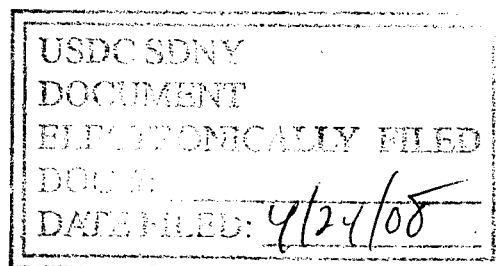
APR 23 2008

Via Facsimile Only (212) 805-4258

Hon. Magistrate Judge Debra C. Freeman
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 525
New York, NY 10007

MEMO ENDORSED

Re: DiFrisco v. Marriott Int'l
Docket No.: 07-CV-3531 (CM)(DCF)
Our File No.: 104-12742-D-PAF/DMS



Dear Magistrate Freeman:

Our office represents defendant Marriott in this lawsuit.

Despite ongoing efforts to schedule the non-party deposition of Aimee Yohann, we have had no success. Your Order indicates that the deposition must proceed by April 30, 2008. Our calendar clerk, Lise-Ann Kaidoo, left several messages for Ms. Yohan on April 14, 2008, regarding the deposition, and again on April 16, 2008. Ms. Kaidoo's calls eventually went unanswered, as the answering machine was apparently turned off.

Ms. Kaidoo left an additional message on April 22, 2008, again without any response from Ms. Yohan.

In other developments, the deposition of Marriott witness Brad Wood has been scheduled as agreed upon between the parties, for May 14, 2008, beginning at 10:00 a.m., in Washington, D.C. As per your directive, we are forwarding this letter for you to "So Order" the agreed upon date, time and location.

50
ORDERED

We will report to you further as the April 30, 2008, approaches for Ms. Yohan's deposition.

SO ORDERED: DATE: 4/23/08

.....
DEBRA FREEMAN

UNITED STATES MAGISTRATE JUDGE

A NEW YORK LIMITED LIABILITY PARTNERSHIP

HOLMDEL, NEW JERSEY • WHITE PLAINS, NEW YORK • GARDEN CITY, NEW YORK
PHILADELPHIA, PENNSYLVANIA • BOCA RATON, FLORIDA
LONDON, ENGLAND

Hon. Magistrate Judge Debra C. Freeman

April 23, 2008

Page 2

Thank you again for your ongoing attention to our case.

Very truly yours,

WHITE FLEISCHNER & FINO, LLP

Paul A. Fino, Jr.

pfino@wff-law.com

PAF/wj/DMS

cc:

Via Facsimile Only (212) 482-0002

Stephen K. Toner, Esq.

RUSSO, KEANE & TONER, LLP

26 Broadway, 28th Floor

New York, New York 10004

s.toner@rktlaw.com